



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 10/06/98

AGENDA ITEM 3

WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: **STATELOCAL TRANSPORTATION PARTNERSHIP PROGRAM:
AUTHORIZATION TO EXECUTE PROGRAM SUPPLEMENT NO. 017
AND NO. 018**

Recommendation:

It is recommended that the City Council authorize execution of Program Supplements No. 017 and 018 to State-Local Agency Transportation Partnership Program Agreement,

Background/Discussion:

The purpose of the State-Local Transportation Partnership Program has been to identify and construct locally-supported roadway projects with a minimum of State planning and review. The program offers an opportunity to construct projects which may not stand the traditional test of statewide significance, but are critically needed by the local community. The amount of State matching funds varies depending on the volume of applications received under this program.

The State-Local Entity Master Agreement, which sets forth the procedures and conditions under which the Partnership Projects will be constructed and maintained in the City of Hayward, was executed on April 17, 1991. Periodically, program supplements to the Master Agreement are executed to set forth the financing of each eligible project.

The City has been informed that projects approved for funding in the 1997-98 fiscal year under the State-Local Transportation Partnership Program will receive State funds, in the approximate amounts, as set forth in the table below:


PROGRAM SUPPLEMENT NO.	PROJECT LOCATION	TYPE OF WORK	ESTIMATED CONSTRUCTION COSTS	ESTIMATED STATE REIMBURSEMENTS
017	SOTO ROAD 420' south to Orchard Avenue	Widening	\$ 113,802.00	\$ 12,270.00
018	WINTON AVENUE Park Street to Grand Street	Reconstruct Pavement and Sidewalks	39,647.00	9,227.00

The execution of the attached program supplements is required before State funds can be released to reimburse the City for these two projects, which will be completed by the end of November.

Prepared by:


Robert A. Bauman, Deputy Director of Public Works

Recommended by:


Dennis L. Butler, Director of Public Works

Approved by:


Jesus Armas, City Manager

Attachments: Program Supplement No. 017 and 018

PROGRAM SUPPLEMENT NO. 017
to
STATE-LOCAL TRANSPORTATION
PARTNERSHIP PROGRAM AGREEMENT NO. SLTPP-5050

Date: August 21, 1998
Location: 04-ALA-0-HAY
Project Number : SB98-5050(003)
E.A. Number: 04-928700

This Program Supplement is hereby incorporated into the State-Local Transportation Partnership Program Agreement for State Share Funds which was entered into between the Local Entity and the State on 04/17/91 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. , approved by the Local Entity on (See copy attached).

The Local Entity further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with any covenants or remarks setforth on the following pages.

PROJECT TERXINI:

Soto Road - 420' south to Orchard Avenue

TYPE OF WORK: Widening LENGTH: 0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

[X] Construction

Estimated Cost	State Share Funds		Matching Funds		
	FY1998	FY1999	LOCAL		OTHER
\$39,647.00	\$9,227.00	\$0.00	\$30,420.00	\$0.00	\$0.0
	FY2000	\$0.00			

CITY OF HAYWARD

STATE OF CALIFORNIA
Department of Transportation

By _____

Date _____

Attest _____

Title _____

By _____

Chief, Office of Local Programs
Project Implementation

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer [Signature] Date 8-21-98 \$9,227.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
282	1997	2660-125-042	97-98	20.25.010.100	C	258010 042-T	9,227.00

Attachment A

SPECIAL COVENANTS OR REMARKS

1. It is mutually understood between the parties that this contract may have been written before ascertaining the availability of legislative appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the agreement were executed after that determination was made.

The total amount of State-Local Transportation Partnership funds payable by the State shall not exceed the sum of the "State Share Funds" column on page 1 of this Program Supplement. The funds to be encumbered and reimbursed are according to the schedule shown under the aforementioned column.

Any increase in State Partnership funds will require a revised program supplement.

Any decrease in State Partnership funds will require a revised finance letter.

2. SPECIAL COVENANTS FOR SLTPP PROJECTS UNDER EARLY REIMBURSEMENT PLAN AND UNDER \$300,000 STATE SHARE

These Covenants supersede any conflicting provisions of the Master Agreement:

A. The LOCAL ENTITY agrees that the payment of "State ShareFunds" will be limited to the lesser of the product of multiplying the calculated pro rata percentage as determined by the STATE by either:

- (a) The eligible award amount or
- (b) The total eligible State/Local Partnership Project cost in the approved State/Local Partnership Program Application and accepts any consequent increase in LOCAL ENTITY funding requirements.

B. The LOCAL ENTITY will invoice the State for the full "State's Share" after the contract award or upon the State Budget Act appropriation of funds, whichever occurs later. "State's Share" is considered a grant and will be reimbursed as a lump sum payment regardless of final project cost.

SB98-5050(003)

SPECIAL COVENANTS OR REMARKS

C. Prior to reimbursement under this Program Supplement, a Request For Early Reimbursement form, executed by the LOCAL ENTITY, must be on file with the STATE.

D. The financial audit and Final Project Expenditure Report provisions of Sections 9 and 10 of ARTICLE I of the Master Agreement are not applicable to this PROJECT.

3. In accordance with the State-Local Transportation Partnership Program Guidelines dated July 1, 1996, project eligibility is limited to contract items plus locally funded State or Local Entity furnished materials and Supplemental Work (if eligible). Supplemental Work eligibility is further defined under the Project Eligibility section of the Guidelines.
4. The Reimbursement Ratio for this Cycle 8 (97/98) Project is 24.54%.

PROGRAM SUPPLEMENT NO. 018
to
STATE-LOCAL TRANSPORTATION
PARTNERSHIP PROGRAM AGREEMENT NO. SLTPP-5050

Date: August 21, 1998
Location: 04-ALA-0-HAY
Project Number: SB98-5050(004)
E.A. Number: 04-928701

This Program Supplement is hereby incorporated into the State-Local Transportation Partnership Program Agreement for State Share Funds which was entered into between the Local Entity and the State on 04/17/91 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. _____, approved by the Local Entity on _____ (See copy attached).

The Local Entity further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with any covenants or remarks set forth on the following pages.

PROJECT TERMINI:

Winton Avenue - Park Street to Grand Street,

TYPE OF WORK: Reconstruct pavement & sidewalks **LENGTH:** 0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

[X] Construction

Estimated Cost	State Share Funds		Matching Funds		
	FY 1998	\$12,270.00	LOCAL		OTHER
\$113,802.00	FY1999	\$0.00	\$101,532.00	\$0.00	\$0.00
	FY2000	\$0.00			

CITY OF HAYWARD

STATE OF CALIFORNIA
Department of Transportation

By _____

By _____

Date _____


Chief, Office of Local Programs
Project Implementation

Attest _____

Date _____

Title _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer  Date 8-21-98 \$12,270.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
282	1997	2660-125442	97-98	20.25.010.100	C	258010 042-T	12,270.00

SB98-5050(004)

SPECIAL COVENANTS OR REMARKS

1. It is mutually understood between the parties that this contract may have been written before ascertaining the availability of legislative appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the agreement were executed after that determination was made.

The total amount of State-Local Transportation Partnership funds payable by the State shall not exceed the sum of the "State Share Funds" column on page 1 of this Program Supplement. The funds to be encumbered and reimbursed are according to the schedule shown under the aforementioned column.

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SB98-5050(004)

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4. The Reimbursement Ratio for this Cycle 8 (97/98) Project is 24.54%.

DM 9-22-98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE PROGRAM SUPPLEMENT NUMBER
017 AND 018 TO AGENCY-STATE AGREEMENT NO.
5050 FOR THE SOTO ROAD AND ORCHARD AVENUE
ROADWAY PROJECTS, PROJECT NOS. 5732 AND 5730

BE IT RESOLVED by the City Council of the City of Hayward that the
City Manager is hereby authorized and directed to execute on behalf of the City of
Hayward, Program Supplement No. 017 and 018 to the Agency-State Agreement no. 5050
for the Soto Road and Orchard Avenue Roadway Improvement Projects, Project Nos. 5732
and 5730.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward